

Remarks

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing Amendment to the Claims, claims 1-10, 13-16, 19, 20, 23, 24, and 27-31 are pending in the application, of which claims 1, 13, 20, 24, 28, and 30 are independent. By the foregoing Amendment, claims 1, 13, 15, 20, 23, and 24 are sought to be amended. Claims 11, 12, 17, 18, 21, 22, 25, and 26 are sought to be cancelled without prejudice or disclaimer. Claims 28-31 are sought to be added. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding objections and rejections.

The Drawings

The Examiner has objected to the drawings for the following reasons: (1) the drawings lack suitable legends, different reference characters seem to designate the same element (i.e., 100, 170, and 172), reference characters seem to float in a void (i.e., 175), and reference characters in the specification are not found in the drawings (i.e., 174). Applicants have attached a replacement drawing sheet for FIG. 1. The replacement drawing sheet distinguishes reference numbers 100, 170, and 172. Reference character 100 refers to a data processing apparatus. Reference character 170 refers to a computer embodiment of the invention. Reference character 172 refers to a first processor in the computer embodiment. The replacement drawing sheet also does not have reference character 175 floating in a void. Reference character 175 refers to the computer

embodiment having a single processor. The replacement drawing sheet also shows reference character 174 as a second processor in the computer embodiment.

The Examiner has objected to the drawings for not showing every feature of the invention specified in the claims. Specifically, the Examiner states that the second processor recited in claims 5 and 15 is not shown. As indicated above, Applicants have attached a replacement drawing sheet for FIG. 1. The replacement drawing sheet includes the second processor as reference character 174.

Applicants respectfully request that the Examiner review the replacement drawing sheet for FIG. 1, and withdraw the objections to FIG. 1.

Rejection under 35 U.S.C. § 112, second para.

The Examiner, on page 4 of the Office Action, has rejected claim 15 under 35 U.S.C. § 112, second paragraph for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Specifically, the Examiner states that claim 15 recites the limitation “the first processor” which implies the presence of a second processor, however, Applicants’ drawings and specification do not seem to support the presence of a second processor when both pipelines are encompassed by the first processor. Applicants have amended claim 15 to overcome this rejection. Applicants respectfully request that the Examiner review the amended claim 15 and withdraw this rejection.

Rejection under 35 U.S.C. § 101

The Examiner, on page 4 of the Office Action, has rejected claims 20-23 for being directed to non-statutory subject matter. Specifically, the Examiner states that Applicants appear to have defined their computer-readable medium to encompass electromagnetic signals (p. 11, lines 4-11 of Applicants' specification). Claims 21 and 22 have been cancelled without prejudice or disclaimer, thereby rendering this rejection moot with regards to claims 21 and 22. Applicants have amended claims 20 and 23 to replace "computer-readable medium" with "tangible machine-accessible medium." Applicants believe that the amendment of claims 20 and 23 overcomes this rejection. Applicants respectfully request that the Examiner review amended claims 20 and 23 and withdraw this rejection.

Allowable Subject Matter

The Examiner, on page 11 of the Office Action, has indicated that claims 12, 25, and 26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The subject matter of claims 11 and 12 have been incorporated into independent claims 1 and 13. The subject matter of claim 25 has been incorporated into independent claims 20 and 24. The subject matter of claim 26 has been incorporated into new independent claims 28 and 30. In light of this amendment, it is respectfully submitted that independent claims 1, 13, 20, 24, 28, and 30, and the claims that depend therefrom (2-10, 14-16 and 19, 23, 27, 29, and 31, respectively) are now in condition for allowance.

Rejection under 35 U.S.C. § 102

The Examiner, on page 5 of the Office Action, states that claims 1-3 are rejected under 35 U.S.C. § 102(b) as being anticipated by “Multipath Execution on Chip Multiprocessors Enabled by Redundant Threads” to Sundaramoorthy *et al.* (hereinafter “Sundaramoorthy”). Applicants respectfully traverse this rejection. However, to expedite prosecution, Applicants have amended independent claim 1 to include the allowable subject matter of claim 12. It is therefore believed that the foregoing Amendment renders this rejection moot.

The Examiner, on page 6 of the Office Action, states that claims 1, 4-8, 10, 13-16, 19-20, and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by “Trace Processors” to Rotenberg *et al.* Applicants respectfully traverse this rejection. However, to expedite prosecution, Applicants have amended independent claims 1 and 13 to include the allowable subject matter of claim 12. Applicants have also amended independent claims 20 and 24 to include the allowable subject matter of claim 25. It is therefore believed that the foregoing Amendment renders this rejection moot.

Rejection under 35 U.S.C. § 103

The Examiner, on page 9 of the Office Action, states that claims 9, 11, 17, 18, 23, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over “Trace Processors” to Rotenberg *et al.* in view of “AR-SMT: A Microarchitectural Approach to Fault Tolerance in Microprocessors” to Rotenberg. Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claims 11, 17, and 18 have been cancelled, thereby rendering this rejection moot with regards to claims 11, 17, and 18. As indicated above, Applicants have amended independent claim 1 to incorporate the allowable subject matter of claim 12. Since claim 9 depends from independent claim 1, it is believed that the foregoing Amendment renders this rejection moot. Applicants respectfully request that the Examiner consider the amended claims and withdraw this rejection.

As indicated above, Applicants have amended independent claims 20 and 24 to incorporate the allowable subject matter of claim 25. Since claims 23 and 27 depend from independent claims 20 and 24, respectively, it is believed that the foregoing Amendment renders this rejection moot. Applicants respectfully request that the Examiner consider the amended claims and withdraw this rejection.

New Claims

Applicants have added new claims 28-31. Independent claims 28 and 30 incorporate the allowable subject matter of claim 26, and since claims 29 and 31 depend from independent claims 28 and 30, respectively, it is believed that new claims 28-31 are patentable as well.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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